

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

LG. PHILIPS LCD CO., LTD.,

Plaintiff,

v.

TATUNG COMPANY,  
TATUNG COMPANY OF AMERICA, INC.,  
CHUNGHWA PICTURE TUBES, LTD.,  
AND VIEWSONIC CORPORATION,

Defendants.

C.A. No. 05-292 (JJF)

**DEMAND FOR JURY TRIAL**

**OBJECTIONS OF DEFENDANTS AND COUNTERCLAIMANTS,  
CHUNGHWA PICTURE TUBES, LTD., TATUNG COMPANY, TATUNG  
COMPANY OF AMERICA, INC. AND VIEWSONIC CORPORATION,  
TO LG. PHILIPS LCD CO., LTD.'S FEBRUARY 28, 2006 DEFICIENCY LETTER**

Defendants and Counterclaimants, Chunghwa Picture Tubes, Ltd., Tatung Company, Tatung Company of America, Inc. and ViewSonic Corporation (collectively, "CPT"), hereby provide their Objections to LG. Philips LCD Co., Ltd.'s ("LPL's") February 28, 2006 Deficiency Letter ("LPL's Letter") as Ordered by this Court on March 1, 2007. These objections are filed in conjunction with, and in some instances in lieu of, further production of documents and things by CPT in the eleven bullet-point categories set forth in LPL's Letter.

As requested by this Court on March 1, CPT has used the eleven bullet points in LPL's Letter as the headings under which it states its objections.

**I. AN INDEX FOR THE MASK WORK FILES RELATED TO ESD RINGS THAT HAVE BEEN PRODUCED, INDICATING WHICH FILE(S) RELATE(S) TO WHICH PRODUCT(S)**

As CPT has informed LPL on numerous occasions, no such index exists at CPT. Federal Rule of Civil Procedure 34 ("Rule 34") does not require a party to create documents in order to respond to a discovery request. If such documents were created, they would be work product and would not be subject to production in any event. LPL elected not to serve an interrogatory seeking this information. LPL cannot now convert a Rule 34 Request for Documents and Things into a Federal Rule of Civil Procedure 33 ("Rule 33") Interrogatory.

LPL has served Federal Rule of Civil Procedure 30(b)(6) topics related to mask files and will be allowed to pursue these issues in deposition, within the prescribed time limits. LPL also has the benefit of the days and days of testimony on mask files provided by CPT witnesses in the California action.

**II. IDENTIFICATION OF EACH LAYER OF MASK WORKS SO THAT WE CAN DETERMINE WHICH FILE GOES WITH EACH LAYER AND WHAT EACH LAYER REPRESENTS**

The information sought by LPL has already been provided. The mask files themselves are color coded by layer, making them inherently self-identified by layer.

Apart from the mask files themselves, and as CPT has previously informed LPL, CPT does not maintain a separate document or documents identifying the layers in the mask files. Rule 34 does not require a party to create documents in order to respond to a discovery request. If such documents were created, they would be work product and would not be subject to production in any event. LPL elected not to serve an interrogatory seeking this information. LPL cannot now convert a Rule 34 Request for Documents and Things into a Rule 33 Interrogatory.

### **III. DOCUMENTS DETAILING THE STEPS OF PRODUCTION FOR MOTHER GLASS SHEETS**

CPT has produced the documents in its possession, custody or control that are responsive to this category of requests. Specifically, CPT produced 2527 pages of operational specifications (CPT-D 19296-19731, CPT-D 25021-27111). These documents disclose all of the production steps for mother glass sheets. In fact, these documents are so detailed that they include instructions concerning every minute step of the process from cleaning and preparing the glass, to the type of gloves to wear during various steps of the processes, to the types of cleaning tools to use all the way through polishing the edge of the glass.

### **IV. DOCUMENTS CONCERNING SCRIBING, CUTTING OR MARKING OF SUBSTRATES**

As discussed in category III above, CPT produced 2527 pages of operational specifications (CPT-D 19296-19731, CPT-D 25021-27111). These documents disclose all of the production steps for mother glass sheets, including the “scribing, cutting or marking of substrates.”

### **V. DETAILED MECHANICAL DRAWINGS OF THE MOTHER GLASS**

Other than the mask files that CPT already has produced to LPL in this case and in the California action, CPT does not have any documents responsive to this category. Mask files are THE mechanical drawings of the mother glass, showing each layer in the process. CPT has produced mask files for at least the following products: CLAA018QCA01, CLAA018QQA02, CLAA022QA01, CLAA040WQA01, CLAA055WA01, CLAA070VA01, CLAA070WA01, CLAA070WA01N, CLAA070WA03, CLAA070WA03, CLAA070WB01, CLAA070WQA01, CLAA080WA01, CLAA090VA01, CLAA090VA01, CLAA090WA01, CLAA090WA01, CLAA090WAB01, CLAA121WA01, CLAA121WA01A, CLAA130VA01, CLAA130VA02, CLAA140WA01, CLAA140WA01A, CLAA141PB01, CLAA141XB01, CLAA141XB02, CLAA141XB02A, CLAA141XC01, CLAA141XC01H, CLAA141XF01, CLAA141XD01, CLAA141XD03, CLAA141XD05, CLAA141XD06, CLAA141XD12, CLAA141XD13,

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**VI. DOCUMENTS SUFFICIENT TO DETERMINE THE PLACEMENT OF INNER AND OUTER GUARD RINGS AND THE CUTTING OF OUTER GUARD RINGS FROM THE MOTHER GLASS**

CPT has produced mask files showing the placement of inner and outer guard rings. CPT also has produced operational specifications (CPT-D 19296-19731, CPT-D 25021-27111) that disclose the cutting of the outer rings from the mother glass. CPT also has produced 51 pieces of mother glass and 39 sample modules. CPT believes that these documents and samples are more

than “sufficient to determine the placement of inner and outer guard rings and the cutting of outer guard rings from the mother glass,” and thus that its burden has been satisfied.

## **VII. DOCUMENTS RELATED TO ASSEMBLY SPECIFICATIONS OF LCD DISPLAY MODULES**

After the March 1 hearing, CPT sought clarification from LPL regarding what documents LPL believed were included within this category and which documents requests LPL based this category on. LPL responded by saying that, based on LPL’s definition of “LCD display modules” as “the module including an LCD display panel, a backlight unit, driver ICs, and any related components,” this category “can include all documents that specify how to assemble the module from its constituent sub-assemblies. Some examples of sub-assemblies of LCD Display Modules include LCD display panels, backlight units, TCPs (embodying driver ICs), and any related components.” CPT disagrees that sub-assemblies of backlights and other parts not at issue in this litigation are relevant, and thus has not produced such documents. LPL’s category # 11 (below) already calls for TCP specifications and, as stated in that section, those documents have been produced.

CPT also has produced thousands of pages of assembly specifications for LCD modules at both the module and array levels. *See, e.g.*, CPT269666-80, CPT276991-021, CPT277100-111, CPT277127-54, CPT277112-26, CPT267306-19, CPT268903-32, CPT087500-15, CPT261701-16, CPT087410-26, CPT100571-84, CPT188348-77, CPT268878-902, CPT076146-58, CPT084109-21, CPT134256-71, CPT012212-36, CPT128993-14, CPT011602-16, CPT128873-920, CPT061818-33, CPT061781-96, CPT061701-20, CPT075430-51, CPT012494-21, CPT128968-92, CPT075494-511, CPT128832-51, CPT128921-43, CPT012328-50, CPT128944-67, CPT012634-57, CPT012658-73, CPT128798-812, CPT128813-31, CPT128852-72, CPT012613-33, CPT014812-28, CPT128224-44, CPT012029-49, CPT128199-223, CPT012190-211, CPT128179-98, CPT012308-27, CPT128155-78, CPT128078-96, CPT128097-114, CPT012589-612, CPT269428-45, CPT128115-35, CPT131310-20, CPT128136-54, CPT062578-600, CPT082644-66, CPT083155-66,

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 CPT-D 09888–09905, CPT-D 09974-10029, 10625, 19315–19320, CPT-D 09773–09801, CPT-  
 D 09668-09704, CPT-D 09853–09867.



Additionally, CPT's operational specifications (CPT-D 19296-19731, CPT-D 25021-27111) also describe assembly specifications for LCD display modules. Finally, CPT produced additional documents related to assembly. *See, e.g.*, CPT-D 028760-028832.

CPT believes its production of documents more than satisfies its burden in this category.

#### **VIII. MECHANICAL DRAWINGS FOR VARIOUS LAYERS OF ANY TCP**

CPT does not manufacture TCPs. CPT purchases TCPs from third party suppliers. CPT's TCP suppliers do not provide CPT with "mechanical drawings for the various layers" of the TCPs they sell to CPT. As such, CPT does not have any documents in its possession, custody or control responsive to this category of documents.

#### **IX. DOCUMENTS SUFFICIENT TO DETERMINE THE CUTTING PROCEDURES AND SPECIFICATION FOR CUTTING INDIVIDUAL PANELS FROM A MOTHER PANEL**

As discussed above, CPT already has produced 2527 pages of operational specifications. *See* CPT-D 19296-19731, CPT-D 25021-27111. These documents disclose all of the production steps for mother glass sheets, including any "cutting procedures and specifications for cutting individual panels from a mother panel."

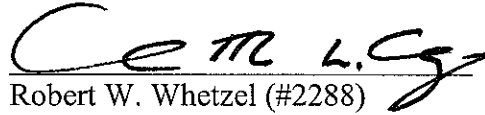
#### **X. OPERATIONAL SPECIFICATIONS REGARDING CUTTING AND PROCESSING OF THE MOTHER GLASS**

As discussed above, CPT already has produced 2527 pages of operational specifications. *See* CPT-D 19296-19731, CPT-D 25021-27111. The operational specifications produced include those "regarding cutting and processing of the mother glass." CPT has produced all operational specifications concerning LCD products in its possession, custody or control; there is nothing to compel.

#### **XI. DOCUMENTS AND SPECIFICATIONS RELATED TO TCPS**

As discussed above in response to category #8, CPT does not manufacture TCPs. CPT purchases TCPs from third party suppliers. CPT's TCP suppliers do not provide CPT with their

internal documents concerning the design or manufacture of the TCPs they sell to CPT. As such, CPT only has limited documentation concerning TCPs. CPT has produced all specifications related to TCPs in its possession, custody or control response to this category of documents. There are no other documents in CPT's possession, custody or control response to this category of documents.



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Dated: March 17, 2006

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

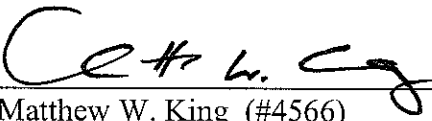
**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on March 17, 2006, I electronically filed the foregoing document with the Clerk of Court using CM/ECF which will send notification of such filing, and hand delivered to the following:

Richard D. Kirk  
The Bayard Firm  
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P.O. Box 25130  
Wilmington, DE 19899

I hereby certify that on March 17, 2006, I sent the foregoing document by Federal Express, next business day delivery, to the following non-registered participants:

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Andrew J. Park  
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